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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 **MICHAEL J. WOODCOCK,**

Petitioner,

15
16 v.

17 **BEN CURRY, Warden,**

18 Respondent.
19

C 07-3043 WHA (PR)

**DECLARATION OF
COUNSEL IN SUPPORT OF
APPLICATION FOR
EXTENSION OF TIME TO
FILE RESPONSE**

20 I, MICHELE J. SWANSON, declare under penalty of perjury as follows:

21 I am a Deputy Attorney General for the State of California and am assigned to
22 represent respondent in this case. Respondent's answer or other responsive pleading is due
23 August 14, 2007, pursuant to this Court's June 15, 2007 Order to Show Cause. I am unable to
24 meet this deadline, and request an extension of time to file a response to the petition for the
25 following reasons.

26 I was not the attorney who handled this case on direct appeal. Since having this case
27 assigned to me, I have been working on cases with chronological precedence, and in the past 30
28 days I have filed an answer in *Brown v. Kernan* (C 06-4194 MJJ (PR)), a petition for rehearing

1 in *People v. Mejia* (A113018), and have just completed an answer in *Nguyen v. Evans* (C 06-
2 4630 JSW (PR)). I am currently working on an answer in *Solorio v. Evans* (C 06-4641 MHP),
3 and am expecting an opposition brief to come in shortly on a case before the California Supreme
4 Court, *People v. Mentch* (S148204), in which I will have 20 days to file a reply brief. For these
5 reasons, I need additional time to complete the response in this case.

6 Petitioner is in custody and representing himself. Therefore, I have not attempted to
7 contact him to inform him about this application for an extension of time.

8 Accordingly, I respectfully request that the Court grant respondent an extension of 60
9 days, to and including October 15, 2007, in which to file a response to the petition.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Dated: August 14, 2007

12 Respectfully submitted,

13 EDMUND G. BROWN JR.
Attorney General of the State of California

14 DANE R. GILLETTE
Chief Assistant Attorney General

15 GERALD A. ENGLER
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16 PEGGY S. RUFFRA
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18
19 /s/ Michele J. Swanson
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